IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

EDWARD JOE WALTON,)	
)	
Plaintiff,)	
)	
vs.)	NO. CIV-09-0619-HE
)	
LOGAN COUNTY MEDICAL)	
DOCTOR, ET AL.,)	
)	
Defendants.)	

ORDER

Plaintiff Edward Joe Walton, appearing *pro se*, filed suit pursuant to 42 U.S.C. § 1983 alleging violations of his constitutional rights. Consistent with 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to Magistrate Judge Valerie K. Couch. Judge Couch has recommended that the complaint be dismissed without prejudice pursuant to LCvR 3.2, 3.3, and 3.4. The parties, by failing to object to the Report and Recommendation have waived their right to appellate review of the suggested dismissal. <u>United States v. 2121 East 30th Street</u>, 73 P.3d 1057, 1059-60 (10th Cir. 1996). After de novo review, the court concurs with the Magistrate Judge that the case should be dismissed.

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #11] and **DISMISSES** the complaint without prejudice.

IT IS SO ORDERED.

Dated this 11 day of August

, 2009.

OE HEATON

UNITED STATES DISTRICT JUDGE